

U S District Court of The State of New York

Index #: 08 CV 5444

County of Southern

Plaintiff Snell Memorial Foundation Inc

vs

Defendant Iron Horse Helmets Inc Helmets Inc And

State of Alabama : County of Jefferson : SS:

Cheryl Bahakel, being duly sworn deposes and says deponent is not a party to this action and is over the age of eighteen years and resides in the State of Alabama

That on 6-23-08 at 3:15 PM at 3625 1st Ave S. Birmingham, AL 35222 deponent served the within Summ & Comp in A Civil Act, Rule 7.1 Stmt, Ind. Prac. of Judge Deborah A. on Helmets Inc defendant therein named. Batts, Ind. Prac. of Magistrate Judge Eaton and Elec. Case filing Rules & Instructions

INDIVIDUAL By Personally delivering to and leaving with said and that he knew the person to be the person mentioned and described in said

A ☐

CORPORATION By delivering to and leaving with Kelly Sheehy at 3625 1st Ave S. Birmingham, AL 35222 and that he knew the person served to be the Legal Dept. Rep. of the corporation.

B ☒

Suitable age Person Service was made in the following manner after your deponent was unable with due diligence to serve the defendant in person:

C ☐

By delivering a true copy thereof to and leaving with a person of suitable age and discretion at the said premises being the defendants - respondents (dwelling place) (usual place of abode) (place of business) within the State of _____

Affixing to Door, etc. By affixing a true copy thereof to the door of said premises. The same being the defendant's (dwelling place) (usual place of abode) (place of business) within the State of _____

D ☐

Mailing use with C or D Deponent completed service under the last two sections by depositing a copy of the in a postpaid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Post Office in the State of _____ on _____ in an envelope bearing the legend personal and confidential.

E ☐

Use with D Previous Attempts Deponent had previously attempted to serve the above named defendant/respondent.

F ☐

VOID w/o Description Use with A, B & C A Description of the defendant or other person served on behalf of the defendant is as follows: Approx Age 36 Approx Weight 120 Approx Height 5'4" Sex F Color of Skin W Color of Hair brown Other _____

Deponent asked the person spoken to whether the defendant was presently in the military service of the United States Government or on active duty in the military service in the State of New York and was informed he/she was not. Your deponent further says that he/she knew the person so served to be the person mentioned and described in said papers defendant/respondent therein. Your deponent is over the age of 18 years and is not a party to this action.

Notary--> Sworn to before me this 6-23-08Bill CaputoCheryl Bahakel
Process Server

SUPREME JUDICIAL SERVICES, INC.
371 Merrick Road #202 - Rockville Centre, N.Y. 11570 - (516) 825-7600
225 Broadway - New York, N.Y. 10007 - (212) 319-7171
FAX (516) 568-0812

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE 6.23.08
NAME OF SERVER (PRINT) Cheryl Bahakel	TITLE Process Server

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served:
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
- Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted:

☒ Other (specify): Corporate Service upon Kelly Sheehy, Legal Dept. Rep.
Helmets, Inc.

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL \$0.00
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 6-23-08
Date

Cheryl Bahakel
Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.